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NOEL K. DESSAINT
CLERK SUPREME COURT

BY

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CLERK SUPREME COURT

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Re: Proposed Changes in Bar Dues and MCLE

En Banc:

I wish to make comments on the recent proposal to change the dues structure and MCLE requirements for members reaching the age of 70, as follows:

While I can see the merits of a proposal which would continue to require full-time members of the Arizona Bar who pass the 70 years of age plateau to continue paying full bar dues and take MCLE, the current proposal fails to address those who have already earned that right and those of us who, while not fully retired or completely inactive, are mostly so. I for one - at age 68 1/2 - no longer practice law full time as I once did when I found it necessary to make a living. At the same time, however, I still do have former clients and a rather extended family, both of whom make it impossible for me to give up my license to practice altogether. As a result, I want to be able to continue to practice on a limited basis. Yet, I do not feel that after 41 years as an active dues-paying and MCLE complying member, and having looked forward to the not distant future when I would have earned the right not to pay dues or comply with MCLE under currently existing conditions, that I now should face being assessed the full-boat obligations of someone who still is practicing full-time.

My suggestion, therefore, is twofold: One, allow those already 70, regardless of their status, the grand fathered rights they have already earned; and two, establish a category for those reaching 70, yet still actively practicing, and those like myself who are not yet 70, but who could be called "semi-retired," where their dues and MCLE requirements are perhaps half of what currently exists.

Thank you for your attention.

Sincerely,



Michael L. Rubin

MLR:gjj

cc: Arizona State Bar